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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,735	02/26/2002	Yiu Chau Chau	144 P 023	2572

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COOK, ALEX, MCFARRON, MANZO, CUMMINGS & MEHLER LTD
SUITE 2850
200 WEST ADAMS STREET
CHICAGO, IL 60606

EXAMINER

CINTINS, IVARS C

ART UNIT	PAPER NUMBER
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1724

DATE MAILED: 03/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/083,735	Applicant(s) CHAU, YIU CHAU	
	Examiner Ivars C. Cintins	Art Unit 1724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 15-18, 21-23 and 28 is/are rejected.
- 7) ☒ Claim(s) 6-14, 19, 20 and 24-27 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

Art Unit: 1724

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2 and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by Heinz (U.S. Patent No. 146,590). The reference discloses a water treatment unit comprising: a housing having a transverse dimension which is substantially greater than its height (see Fig. 1); a substantially vertical outer wall and a substantially vertical inner wall, which walls define a chamber C therebetween; a plurality of openings a in the outer wall and a plurality of openings b in the inner wall such that water flows in a substantially transverse direction through this chamber; a bottom wall closing the chamber between the inner and outer walls; a top wall E closing the top of the housing; a discharge d from the housing within the inner wall; and a finely divided treatment medium positioned in the chamber (see the left column, lines 19-20) such that water flows transversely through this medium; and this is all that is required by claim 1. This reference also shows a second inner wall in the housing such that a second chamber D is formed therebetween; a third chamber G defined by the second inner wall; and a plurality of openings in each of the walls to permit transverse water flow through the first and second chambers into the third chamber, as required by claim 2. This reference further shows a vent (i.e. open upper end of chamber G), as required by claim 28.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

Art Unit: 1724

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-5 and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heinz. The reference discloses the claimed invention with the exception of the location of the second treatment media (claims 3-5 and 23) and the relative volume of the untreated and treated water reservoirs (claims 21-23). However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to locate the second treatment media of the reference (see the left column, lines 38-39) in the second chamber **D** instead of the third chamber **G**, in order to produce a more compact filtration system. Also, it would have been obvious to one of ordinary skill in the art at the time the invention was made to construct the reference device such that the untreated water chamber has a smaller volume than the treated water chamber, in order to produce a smaller overall unit which can be located in a smaller space in a home or Office.

Claims 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art in view of Heinz. Applicant has admitted (see Fig. 2; and page 7, paragraph 0031 of the specification) that coffee makers having water treatment units which discharge directly to the brewing compartment are known. Claims 15-18 differ from this admittedly known coffee maker by the specific type of water treatment unit employed. Heinz teaches a water treatment unit of the type recited; and it would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute the water treatment unit of Heinz for the water treatment unit of the admittedly known coffee maker, since this secondary reference water treatment unit is capable of filtering water prior to brewing coffee in substantially the same manner as the water treatment unit of the admittedly known coffee maker, to produce substantially the same results.

Art Unit: 1724


Claims 6-14, 19, 20 and 24-27 are objected to as being dependent upon a rejected base claim, but would be allowed if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

Wheatley (U.S. Patent No. 4,749,481) and DeAre (U.S. Patent No. 5,076,922) disclose similar water treatment units.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to I. Cintins whose telephone number is (571) 272-1155. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Blaine Copenheaver, can be reached at (571) 272-1156.

The centralized facsimile number for the USPTO is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Ivars C. Cintins
Primary Examiner
Art Unit 1724

I. Cintins
March 13, 2004